

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

522,636

PCT/FR2003/002338



Applicant's or agent's file reference R7847WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/002338	International filing date (day/month/year) 23 juillet 2003 (23.07.2003)	Priority date (day/month/year) 26 juillet 2002 (26.07.2002)
International Patent Classification (IPC) or national classification and IPC C02F 1/68		
Applicant OTV SA		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 26 janvier 2004 (26.01.2004)	Date of completion of this report 04 October 2004 (04.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/002338

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
pages _____ 1-9 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____ 1-14 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the drawings:
pages _____ 1/1 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/FR 03/02338

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-7, 11-14	YES
	Claims	8-10	NO
Inventive step (IS)	Claims	1-7, 14	YES
	Claims	8-13	NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

2. Citations and explanations

1. Claims 8 to 13

The present application does not meet the requirements of PCT Article 33(1), since the subject matter of claims 8 to 10 fails to comply with the criterion of novelty as defined by PCT Article 33(2).

1.1 D1 (EP 0031395, see figure) describes a facility including a lime saturator 3, means for feeding water therein (elements 8 and 1), means for feeding lime-wash therein (elements 5, 6, 7 and 17), means for discharging the lime water (elements 10, 12 and 15), means for removing non-calcined matter and precipitates (elements 10 and 12), means for feeding a silicate into the water (elements 5 to 7) and a mixer (2).

The wording of claim 8 is such that the technical features are defined in a general and non-limiting manner by indicating the function thereof, and the presence of other technical features is not excluded. Consequently, the subject matter of said claim is not differentiated from D1.

For the same reasons, the subject matter of claims 9

and 10 is not differentiated from D1.

- 1.2 In the light of D1, dependent claims 11 to 13 contain no additional feature which, when combined with the features of any one of the claims to which they refer, defines subject matter that complies with the PCT requirements of inventive step.

2. Claims 1 to 7

- 2.1 D1 describes (claims 1 to 3) a lime water production method including a step whereby lime-wash is mixed with dilution water.

Claim 1 and the claims dependent thereon differ from D1 in that deionized water is used and silicate ions are added to the deionized water. For these reasons, said claims meet the requirement of novelty of PCT Article 33(2).

- 2.2 The present application addresses the problem of reducing the probability of finding undesirable molecules in the remineralised water. Said problem is solved by adding a silicate compound in the lime water preparation, which reduces the turbidity thereof.

- 2.3 No such additive is suggested by D1, nor can one be derived therefrom. For this reason, claim 1 and the claims dependent thereon meet the requirement of inventive step of PCT Article 33(3).

3. Claim 14

- 3.1 In the light of points 2.1 to 2.3 above, claim 14 also meets the requirements of PCT Article 33(2) and (3).